

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-V-

10 CR 396 (CBA)

JOHN GIGLIO,

Defendant.

X-----X

SENTENCING SUBMISSION

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LAURA DI CHIARA, ESQ.

September 3, 2010

Judge Carol B. Amon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: SENTENCING SUBMISSION

United States v. John Giglio
10 Cr. 396

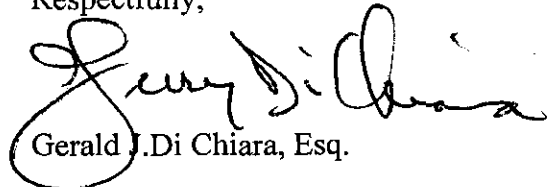
Dear Judge Amon,

As of the date of this submission counsel has not received the Pre-Sentence Report. The present date for sentencing is September 20, 2010. The Court has ordered submissions on behalf of Giglio be submitted by September 7, 2010.

Since counsel will be requesting that whatever sentence the Court should impose run concurrently with the balance of defendant's present sentence and that the Court impose a non-guideline sentence, counsel is not seeking an adjournment of the sentencing at this time. Counsel requests that the Court allow the defendant a reasonable time after receipt of the PSR to review it with Giglio and to supplement this submission and address the Presentence Guideline & 3553(a) arguments orally at the time of sentencing or in writing prior to sentencing, if possible.

Pursuant to Rule 32 of the Federal Rules of Criminal Procedure the enclosed letters are submitted to the Court's review in hopes of leniency for Giglio.

Respectfully,


Gerald J. Di Chiara, Esq.